

REMARKS

Claims 6-11 are pending and claims 1-5, 12-23, 25, 26, 28-31, 33 and 34 have been withdrawn as being directed to a non-elected invention. Claims 6-11 have been rejected under 35 U.S.C. § 103(a).

I. Preliminary Matters

Applicant has amended claims 6-11 merely for clarification and precision of language. Such amendments do not narrow or change the literal scope of the claims and are not made in view of the prior art. Thus, the amendments do not implicate an estoppel in the application of the doctrine of equivalents. Further, since the amendments do not narrow or change the scope of the claims, Applicant submits that such amendments do not require a further search by the Examiner.

II. Rejections under 35 U.S.C. § 103(a) in view of U.S. Patent No. 6,243,578 to Koike (“Koike”), U.S. Patent No. 6,178,506 to Quick and U.S. Publication No. 2001/0011308 to Clark (“Clark”).

The Examiner has rejected claim 6 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Koike, Quick and Clark.

Applicant submits that claim 6 is patentable over the cited references for at least the following reasons.

The Examiner cites to the Koike reference as disclosing a type of communication device that can be freely inserted into a slot of a terminal device, as recited in the preamble of claim 6.

For example, Koike discloses a transmitting/receiving unit 24 that is placed in slot 26 of the terminal 10 (Fig. 1; col. 4, lines 10-24). The Examiner then acknowledges that Koike does not disclose the claimed method, but contends that Quick does. In particular, on page 3 of the Office Action, the Examiner maintains that Quick discloses a key module that registers an ID at a terminal device. As disclosed in Quick, a separate removable device, known as a user identification module (UIM), can be inserted into a terminal for the terminal to read the identity information of the user's subscription (col. 1, lines 50-58). The removable device, i.e., alleged key module, allows for wireless service subscription portability.

Applicant submits, however, that neither Koike nor Quick disclose an ID stored in a communication device. The Koike reference, which the Examiner uses to show a type of communication device, fails to teach or suggest that an ID is stored therein. Also, as stated above, the Quick reference merely discloses the UIM (alleged key module), and fails to disclose any type of communication device or that an ID that would be stored therein. The Office Action fails to address where the claimed communication device ID is shown in any of the references, and Applicant likewise submits that such feature is not taught or suggested.

In addition, on page 4 of the Office Action, the Examiner acknowledges that Koike and Quick do not disclose that the alleged key module of Quick stores the same ID as an ID stored in the alleged communication device of Koike. To cure such a deficient teaching, the Examiner points to the Clark reference.

Clark teaches the synchronizing of information in a computer and a hand-held computer, i.e., the synchronizing of information between two terminals (para. [0010]). The synchronizing communication paths include a modem, a parallel printer port, a conventional serial port and a cradle assembly (para. [0010]). Examples of information to be synchronized include phone number databases and appointments on a calendar, and the synchronizing routine determines if a new entry is present in one of the computer or hand-held computer and updates the other terminal to reflect the same entry (para. [0011]). The reference discloses that if the connection between the computer and the hand-held computer is a network, certain passwords can be used for security during the sharing of files between the user designated location and the hand-held computer (para. 0060]). The hand-held computer must send its password number or qualifier and the host will allow synchronization access to previously stored numbers (para. [0060]).

As stated above, the Examiner has cited to Clark as teaching that a key module will store the same ID as an ID stored in a communication device. However, as discussed, Clark teaches the synchronizing of information between two *terminals*, and the storage of a password in one of the terminals. There is no teaching or suggestion of a *key module* capable of being inserted into a slot of one of the two terminals, nor is there a teaching or suggestion of a *communication device* that is capable of being inserted into a slot of one of the two terminals. Further, there is no suggestion or motivation to provide the password of Clark's *terminals* into a key module or communication device. On page 4 of the Office Action, the Examiner appears to maintain that the cradle assembly discussed in Clark discloses a type of communication device. However, the cradle assembly is for use with, for example, a PDA. The PDA would be placed "in" the cradle,

the cradle would not be placed “in” a slot of the PDA, as required by the communication device recited in claim 6. Further, the cradle is merely a connection or communication path. There is no information, let alone an ID, that is stored in the cradle assembly. Nothing provided in Clark suggests that the disclosed cradle assembly is any different from cradle assemblies readily used in the art.

Thus, Applicant submits that Clark fails to cure Koike’s and Quick’s deficient teachings in regard to an ID being stored in a communication device, and further that the ID provided in a key module would be the *same as* the ID stored in the communication device. Accordingly, even if combined, the teachings of the three references fail to teach or suggest the method of claim 6.

III. Rejections under 35 U.S.C. § 103(a) in view of Koike, Quick, Clark and U.S. Patent No. 5,960,085 to de la Huerga (“Huerga”).

The Examiner has rejected claims 7, 8, 10 and 11 under 35 U.S.C. § 103(a) in view of Koike, Quick, Clark and Huega. Since claims 7 and 8 are dependent upon claim 6, and Huega fails to cure the deficient teachings of Koike, Quick and Clark, in regard to claim 6, Applicant submits that such claims are patentable at least by virtue of their dependency.

Further, Applicant submits that claim 9 is patentable for at least the reasons presented below. Accordingly, since Huega fails to cure the deficient teachings of Koike, Quick, Clark and Kung, in regard to claim 9, Applicant submits that claims 10 and 11 are patentable at least by virtue of their dependency.

IV. Rejections under 35 U.S.C. § 103(a) in view of Koike, Quick, Clark and U.S. Patent No. 5,434,918 to Kung ("Kung")

The Examiner has rejected claim 9 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Koike, Quick, Clark and Kung. However, at least in regard to the features of claim 9 that are analogous to the features of claim 6 discussed above, and since Kung fails to cure the deficient teachings of Koike, Quick and Clark, in regard to such features, Applicant submits that claim 9 is patentable over the cited references.

V. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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